IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.2207 OF 2004

Shri. Shankarrao Tattya Ghorpade & Ors. ..Petitioners.
Vs.
State of Maharashtra & Ors. .. Respondents.

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Ms. Ankita . Aher-Sawant h/f Mr. S.P. Pawar for the petitioners.
Mr. A.P. Vanarase, AGP for respondent No.1.

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CORAM : S. RADHAKRISHNAN &
DR.D.Y.CHANDRACHUD, JJ.

23rd November, 2004.

P.C. :

1. Heard learned counsel for the petitioners and learned AGP for respondent No.1.

2. Perused prayer clause (a) of the writ petition which is the only main prayer in the petition, wherein the provisions of Section 84C and Section 84C(3)(a) read with Section 63A of the Bombay Tenancy and Agricultural Land Act have been challenged in the petition to be ultra vires. The very issue has been considered by a Division Bench of this Court in **Kuberdas Hargovandas Mody v.**

The State of Bombay, (1959) 61 Bom LR 1276 and the vires has been upheld. In view thereof, nothing further survives in this petition. The petition is accordingly dismissed.

S.RADHAKRISHNAN, J.

DR.D.Y.CHANDRACHUD, J.